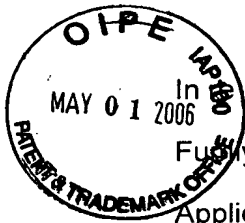


AF / JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fuchiyoshi Ariki et al.

Application No.: 10/625,541

Filed: July 24, 2003

For: WELDING METHOD AND TUBULAR
MEMBER AND GEAR PUMP MADE
USING THE WELDING METHOD

) MAIL STOP AF

) Group Art Unit: 1725

) Examiner: Lynne Renee Edmondson

) Confirmation No.: 8204

CONDITIONAL NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A final Official Action was issued in connection with the above-identified application on October 31, 2005. A response to that final Official Action was filed on January 31, 2006. Examiner Edmondson telephoned the undersigned in the middle part of February to obtain authorization to cancel Claims 5-13 directed to the non-elected invention for purposes of placing the application in allowable form. The undersigned later responded to Examiner's Edmondson's request and authorized cancellation of Claims 5-13 by way of an Examiner's Amendment. During that telephone call, Examiner Edmondson stated that since the time of the initial telephone conversation regarding cancellation of Claims 5-13, she needed to act on the application and thus issued an Official Action on February 27, 2006 noting the outstanding requirement for cancellation of Claims 5-13. Examiner Edmondson indicated, however, that she would enter an Examiner's Amendment canceling Claims 5-13 so that the application could proceed to allowance. In a subsequent telephone conversation, Examiner Edmondson stated that she entered the Examiner's Amendment canceling Claims 5-13 to place the application in condition for allowance. Examiner Edmondson advised that a Notice of Allowance would be forthcoming.

Following the last telephone conference with Examiner Edmondson concerning this application, the undersigned has repeatedly checked the Patent Office's Public PAIR system to determine the status of this application. Since the middle part of March, Public PAIR has indicated that this application is "Allowed--Notice of Allowance Not Yet Mailed.--. Telephone calls to Mr. Patrick Ryan (Ms. Edmondson's supervisor) inquiring about the delay in the mailing of the Notice of Allowance have not been returned.

Thus, in further response to the final rejection mailed October 31, 2005, applicant conditionally appeals the decision of the Examiner contained in the final rejection, in the event that the present application is ultimately not found allowable. In such case, the Commissioner is hereby authorized to charge the appropriate government fees for the Notice of Appeal and the Petition for Extension of Time set forth in 37 C.F.R. §§ 1.17 and 41.20 to our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: May 1, 2006

By: Matthew L. Schneider
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